

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THOMAS K. MILLS,

Plaintiff,

v.

ZACHERY JONES, et al.

Defendants.

No. 1:23-cv-01214-JLT-SAB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATION AND DENYING
PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT

(Docs. 22, 25)

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983. On December 8, 2023, the magistrate judge issued Findings and Recommendations recommending Plaintiff's motion for summary judgment be denied. (Doc. 25.)

The Court served the Findings and Recommendations on Plaintiff and notified him that any objections were to be filed within 14 days after service and that the failure to file timely objections may result in a waiver of rights on appeal. (*Id.* at 2, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014).) No objections were filed and the time to do so has passed.

According to 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, the Court conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court concludes the Findings and Recommendations are supported by the record and by proper analysis.

Accordingly, the Court **ORDERS**:

1. The Findings and Recommendations issued on December 8, 2023 (Doc. 25) are **ADOPTED** in full.
2. Plaintiff's motion for summary judgment filed on December 7, 2023 (Doc. 22) is **DENIED**.

IT IS SO ORDERED.

Dated: **January 2, 2024**


UNITED STATES DISTRICT JUDGE